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ABSTRACT

This Congressional Hearing focuses on protecting children from exploitation on the Internet. Opening remarks of Senator Gregg, statements of Senator Hollings, and Senator Mikulski, and statement and summary statement of Hon. Louis J. Freeh, Director of the Federal Bureau of Investigation, Department of Justice, are provided at the beginning of the document. Topics of discussion in the hearing include: CyberTipline; Innocent Images initiative; child abduction and serial killer unit; training; public awareness; Innocent Images cases; national coordination; regional state and local task forces; DNA profiles; private industry assistance; Crimes Against Children Program accomplishments; prepared statement of Louis J. Freeh; implementation of 1998 FBI enhancements; challenges for combating child exploitation; crimes against children; extent of Internet child pornography problem; traveler cases; DNA tracking system; federal, state and local cooperation; caliber of FBI agents; resources needed; St. Mary's College students in Guatemala; and congressional intent. Nondepartmental Witness statement of Ernest E. Allen, president and CEO of the National Center for Missing and Exploited Children (NCMEC) and update on progress addressing child sexual exploitation on the Internet, the subcommittee's mandate, and NCMEC report make up the end of the document. (AEF)

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S. HRG. 105-615

PREVENTING CHILD EXPLOITATION ON THE INTERNET

ED 423 889

HEARING

BEFORE A

SUBCOMMITTEE OF THE

COMMITTEE ON APPROPRIATIONS

UNITED STATES SENATE

ONE HUNDRED FIFTH CONGRESS

SECOND SESSION

SPECIAL HEARING

Printed for the use of the Committee on Appropriations

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PREVENTING CHILD EXPLOITATION ON THE INTERNET

TUESDAY, MARCH 10, 1998

U.S. SENATE,
SUBCOMMITTEE ON COMMERCE, JUSTICE, AND STATE,
THE JUDICIARY, AND RELATED AGENCIES,
COMMITTEE ON APPROPRIATIONS,
Washington, DC.

The subcommittee met at 9:58 a.m., in room SD–192, Dirksen Senate Office Building, Hon. Judd Gregg (chairman) presiding.

Present: Senators Gregg, Hollings, and Mikulski.

DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

STATEMENT OF HON. LOUIS J. FREEH, DIRECTOR

OPENING REMARKS OF SENATOR GREGG

Senator GREGG. We will start the hearing. This is the Subcommittee on Commerce, Justice, and State of the Appropriations Committee.

The purpose of today's hearing is to continue a discussion with the Federal Bureau of Investigation [FBI] and the National Center for Missing and Exploited Children (national center) over the issue of the use of the Internet by people who are attempting to take advantage of our children, either through the promotion of child pornography, or through the actual attempt to solicit children for sexual activity.

Approximately 1 year ago we had a hearing where the Director was kind enough to come forward and show us some of the initiatives which the Bureau has undertaken in the area of trying to protect children on the Internet from predators.

We congratulate the FBI for their initiatives in this area, specifically the Innocent Images initiative, which essentially is a sting operation, which was initiated at the direction of the Director, and which this committee strongly supports.

As a result of that hearing, and some of the very moving and disturbing testimony that we heard from parents of children who had been taken advantage of as the result of their use of the Internet, this committee initiated a significant funding increase and promoted a number of undertakings which have been pursued both by the Bureau and by the national center.

This hearing is to go over the question of what additional activity is needed and what additional funding may be needed.

You know, I think we all understand that the Internet is an extraordinary tool, and a great opportunity for everyone in this country, but especially for our children to learn and to have access to information which otherwise would not be available, or which would involve a great deal of complication to get to.

I know in my own household my kids are constantly using it for research on all sorts of complex issues that I do not understand; whether it is biology or mathematics. In some instances it is just learning about the world as it is.

In addition, it is a great communication tool. The chat room concept gives kids the opportunity to talk to their friends and to people who they don't know, but can meet around the world, and hear other thoughts and ideas about what is happening.

The Internet is a unique and special tool, and from my standpoint it's something that we should protect and expand and use aggressively, as a positive tool. But unfortunately there are those who have decided to use it inappropriately, and as I said yesterday at the announcement of the CyberTipline over at the national center, it used to be that you tell your children don't talk to strangers in the play yard; don't accept candy from a stranger outside the house. If you're walking down the street don't speak to somebody who comes up to you and asks you to do something.

But today, unfortunately, the stranger isn't outside of the house. The stranger can be in the house, and he or she can be in the house through the Internet. So parents have to be extremely sensitive to what their children are doing when they are using the Internet, and there has to be an openness of discussion.

The first line of defense from abuse of the Internet is, obviously, parental involvement, parental knowledge, and the education of children as to the threat. And in that area, I am sure we will hear from Director Allen of the national center as to his ideas, and specifically the fact that no child should ever give out his or her name or address over the Internet or he or she certainly should never agree to meet anyone as a result of Internet contact unless the parents are told first, and also that they are very sure of who the person is the child is communicating with.

These are obvious things that we need to communicate more effectively about in order to make sure that the Internet is used effectively. Today we are going to hear from Director Freeh as to some of the initiatives that are going forward in the area of law enforcement relative to people who are promoting child pornography over the Internet and also in the area of trying to catch people who may use the Internet to try to solicit children for sexual activity.

We look forward to an update here. This is an issue that this committee has been aggressively involved in, and the aggressiveness of this committee has been bipartisan. Certainly Senator Hollings, as the ranking member and past chairman and most knowledgeable person on this committee about its history and its prerogatives, has been an extremely strong force for supporting the funding initiatives in this area and making sure that the agencies

which we have jurisdiction over aggressively pursue the question of trying to protect our children when using the Internet.

I will yield now to the ranking member, Senator Hollings.

STATEMENT OF SENATOR HOLLINGS

Senator HOLLINGS. Thank you very, very much, Mr. Chairman. I once again commend you for continuing to lead us on this important score, and I think your comments bring into mind my main concern which I want Judge Freeh and Director Allen to address on how they may emphasize even more prevention.

Now, I do not know how to control the Internet. Initially the Internet was designed so that you could not control it. I will never forget, way back in the early 1970's, when we were saying that if a bomb landed on the Pentagon and all the communications were knocked out, we wouldn't be able to handle everything.

We took the various scientific research projects being considered at the university campuses around the country, and started interconnecting them in the Defense budget under DARPA. Actually, the Internet is a defense entity, and that is how we got started. We then said let the economy and the political system develop an alternative on its own that could not be destroyed in a single stroke.

Now, you and I with a single stroke are trying to stop pornography on the Internet, and I do not know how to do it. I am trying. We can hear from the witnesses, from their experiences, on how we could make the violations more severe so as to deter violators. But on the other hand, Judge, I want to hear from your good experience, especially with a big family that continues to grow, how we ought to emphasize prevention.

Thank you very much.

Senator GREGG. Thank you. Senator Mikulski has also been a leader on all these issues that involve children; protecting children.

STATEMENT OF SENATOR MIKULSKI

Senator MIKULSKI. Thank you, Mr. Chairman, and my compliments to you. Mr. Chairman, it is with a great deal of pride that the national headquarters for the FBI's program to fight child pornography and child predators on the Internet is located in my own home State of Maryland.

I have had the opportunity to visit our local FBI headquarters to see firsthand these demonstrations. They were shocking. I could not believe that what should be a tool to advance a child's education—should be an opportunity for learning, to take them to vistas all around the world and even beyond, through the NASA Internet—has now been created a virtual playground in which the predators are very, very real.

The $10 million that we got in last year's appropriation has worked. We have 60 agents working in Baltimore. They are out there working to make sure we protect our children from these predators. We know that nationwide there have been over 329 arrests, and actually already 184 convictions. We look forward to hearing from Director Freeh about how we could further enhance this.

We want to make sure that the Internet and the ability to own a computer in your home, or have access to the Internet in a public

library, is a tool for learning about the world, and it is not a tool for people to come in, have a virtual playground, or to use chat rooms to seduce little children.

And I want to compliment you on your leadership. And, Director Freeh, I just want you to know, the agents that I visited in Baltimore, their sophistication with technology, and their commitment to protecting children was so outstanding it was inspirational, and even inspired me to want to fight extra hard for the resources you have.

Senator GREGG. Thank you, Senator. Director Freeh, we look forward to hearing your testimony.

SUMMARY STATEMENT OF DIRECTOR FREEH

Mr. FREEH. Thank you, Mr. Chairman, and Senators Hollings and Mikulski. Thank you for your support and your comments.

We are very pleased to be here again to talk about these very serious issues, specifically as they affect law enforcement and our ability to protect our most precious resource, our children.

It is significant that this is a second hearing. Last April, as you noted, Mr. Chairman, under your leadership and Senator Hollings' leadership, for the first time, at least in my tenure, a committee of the Congress focused specifically on child pornography and sexual exploitation of children from a Federal law enforcement point of view. And that concern, that support which has resonated not only in the appropriations of 1998, but the continuing support and inquiry by this committee is just outstanding, not only from our point of view, but also on behalf of the other Federal services, particularly the U.S. Customs Service, and the State and local departments who are benefiting from the training, and from the protocols developed in the Innocent Images cases.

Yesterday, as you know, at the announcement of the CyberTipline effort, which is the direct result of this committee's support, we heard from a detective from a small police department in New Hampshire, who, on his own initiative and with the expertise he has developed, has generated over 60 leads.

These are not FBI leads. These are State and local cases with respect to people committing crimes against children using the Internet.

As these techniques and this support percolates down to the State and local departments, we will enormously increase the potential for this protection. It is nothing that the FBI could do by itself or the Customs Service. As you note, Senator Hollings, a lot of it has to do with prevention and education, which is why we note with great interest the legislation that you recently introduced which goes to that very point of education and prevention in the schools. But this is the beginning of an initiative which I think will have outstanding results around the country, and it was initiated in this committee, and I want to thank all the members, and you, Mr. Chairman, in particular.

With respect to the commitment which was made by this committee, and followed up by myself and the FBI, I believe that we will have more significant results to report in addition to the ones that I will review very briefly here this morning.

CYBERTIPLINE

The CyberTipline is one other example of a State and private partnership. What is very significant about the CyberTipline is that it is privately supported as well as publicly funded and that the center, under the very competent leadership and very ingenious initiatives of Ernie Allen, who is going to testify here this morning, has been able to take that particular idea and turn it into a practical tool and shield for protecting our children.

INNOCENT IMAGES INITIATIVE

With respect to the $10 million appropriation which we received last year, that, as you noted, Senator Mikulski, added 60 positions, including 25 special agents, to enhance the Innocent Images initiative, which is a nationwide investigative effort headquartered in our Baltimore field office, but now expanding.

We have an initiative established in Los Angeles, and with State and local training, it is now going to filter down to a level which will greatly expand its impact.

Baltimore received 40 of those 60 new positions, including 13 agents and 12 intelligence research analysts. That has given us a threefold capability to what it was prior to those resources. We are creating a second squad of FBI agents and State and local task force participants to expand the scope of our current online undercover operation and to provide 24 hour support to Innocent Images cases from around the country, which will give us a capacity that we have not, heretofore, enjoyed.

Ninety-five percent of the Innocent Images cases which are initiated in Baltimore have to do with subjects who reside in other States. So this is, indeed, a national effort which has been headquartered very successfully in our Baltimore division.

The Baltimore agents who are assigned to Innocent Images will also use their expertise to train State and local law enforcement officers and prosecutors, including those trained through the national center.

Since last April, the FBI Innocent Images staff have made 54 presentations to approximately 2,100 State and local enforcement officers and prosecutors around the country. This is a continuing training effort, and the protocols they receive during that training, will enable them to go out and institute similar operations in a coordinated way. We are very dedicated to making sure these efforts are coordinated as best we can.

We are also improving the case management system in the Innocent Images protocols to ensure that we can store and retrieve quickly all the relevant data. We are placing four agents and one intelligence research specialist in our Los Angeles field office, where they will be dedicated to following up on cases referred by the Baltimore office, as well as initiating new Innocent Images and online child pornography investigations.

With respect to forensic services, the additional Innocent Images squad in Baltimore will generate increased workload for our FBI laboratory. Consequently, improving our laboratory capabilities to handle these additional cases, forensically, is a top priority. So we are adding five special agents and one professional examiner for

those forensic examinations of computer-related evidence from Innocent Images cases.

CHILD ABDUCTION AND SERIAL KILLER UNIT

With respect to the child abduction and serial killer unit, which as you know is in Quantico, which I established in 1994, we will add two agents and one intelligence research specialist to that unit to ensure the timely and effective response to requests for assistance in missing children and sexual exploitation cases, particularly those involving Internet and online services.

That unit, I am very proud to say, has been extremely active since it became operational in 1995. In addition to the profiling of services, which we provide regularly to State and local departments, we also, upon request, deploy agents, analysts, and forensic examiners from that unit and other sources to go out into the field, particularly when a small police department is faced with a child abduction beyond their resource needs.

We are also assigning, as I mentioned yesterday, one full-time special agent to the national center to help improve our liaison and facilitate what will be more complaints and tips, particularly as a result of the CyberTipline.

TRAINING

With respect to training, we are conducting, based on the 1998 resources, five regional, online child pornography and child sexual exploitation conferences. The first conference was held recently in Atlanta, attended by 20 FBI agents and 200 State and local officers from seven Southeastern States.

We have conferences scheduled later this year in Dallas, Los Angeles, Chicago, and Newark. That is the multiplier effect that I believe we will have. You will see many more of these cases and initiatives on a State and local level, which is, indeed, very significant.

Later this year we are going to convene a national level symposium on Internet and online child pornography cases, where in conjunction with State and local partners and prosecutors, we will develop what we believe to be better case strategies and better protocols, and review the technology available to work on these important cases.

PUBLIC AWARENESS

Increasing public awareness, as Mr. Allen noted yesterday, is perhaps one of the most important aspects of this entire initiative. The education and the prevention aspect is an issue which goes, of course, to the schools and the parents, but also has a law enforcement component.

For instance, we are following up on a suggestion which you made last year, Mr. Chairman, and Senator Hollings, with respect to including in our FBI tour the notion of awareness with respect to online pornography and child exploitation.

We are in the process now of establishing on that tour, which is seen by 500,000 people per year, videos, perhaps interactive kiosks,

and displays with respect to the whole issue of child exploitation and vulnerability, and using that as another forum for education.

INNOCENT IMAGES CASES

With respect to the Innocent Images cases, as Senator Mikulski noted, we have been very, very successful in the investigation and prosecution of those cases. We have over 684 active, pending cases at this time and 184 convictions, as the Senator noted.

Significantly, 70 of those cases are what we call traveler cases. These are the most serious cases where someone contacts a child or a minor over the Internet and seeks to meet them for illicit sexual purposes potentially leading to crimes of violence and even death. These cases are identified in our top priority category of travelers. These are the cases that we react most immediately to, with all the resources at our disposal.

In addition, what is also significant, and based in part on the resources which are now being utilized from your 1998 appropriation, we have increased the number of search warrants by 62 percent. The number of indictments have increased this last year by 50 percent, arrests by 57 percent, and convictions by 45 percent.

I would also note that in addition to the national efforts, these cases have international aspects. Currently, approximately 21 of these cases are being worked in part by nine of our overseas Legat offices, which this committee has also strongly supported in terms of establishment and expansion.

The Internet has no boundaries. Subjects from countries, literally around the world, can visit into someone's home for the purposes of committing one of these crimes. So the capability needs to be beyond our borders, since the Internet has no borders.

There are challenges, as we mentioned last year as well as last week with respect to pursuing these cases. The encryption issue is an issue that we need to resolve in some rational as well as effective way. We do have subjects using encryption to commit crimes against children, particularly crimes on the Internet, and that is a continuing source of concern to us that has broad law enforcement implications beyond these cases.

NATIONAL COORDINATION

With respect to national coordination, we do seek, as I know this committee wishes us to, the ability to coordinate as best we can the various and now proliferating efforts not only by Federal law enforcement authorities, but also by State and local authorities, to avoid a situation where two undercover operatives on the Internet, unknown to each other at the time are working against each other, both representing law enforcement agencies.

We want to use whatever means and liaison available as well as the conferences which this appropriation will support to see if we can establish some basic protocols or guidelines so we can avoid the situation where we are basically wasting resources. I do not think that has happened yet as far as I know, and we are going to ensure that it does not happen in the days to come.

REGIONAL STATE AND LOCAL TASK FORCES

The Office of Juvenile Justice and Delinquency Prevention, based on this committee's funding, is setting up eight regional State and local task forces which will work very closely with the FBI, as well as with the national center, with respect to the pursuit of these cases.

DNA PROFILES

In the area of DNA profiles, we are actively pursuing the forensic ability to have a legal but effective DNA data base, with respect to people convicted of sexual, predatory crimes. The average child molester, for instance, we know from studies and statistics, attacks approximately 70 victims throughout his lifetime.

With respect to many of those crimes, DNA profiles and DNA data bases become a very effective forensic tool in terms of identification, and also prevention. If we are being asked to check the employees at a day care center, we need to have access to a data base which serves that very important purpose.

The FBI continues to work with the States to establish the CODIS network. CODIS is the DNA identification network. We now have connections with 86 different crime labs in 36 States, including the District of Columbia, with respect to the ability to exchange and compare DNA profiles electronically.

At this time, however, there is no comparable effort to collect and maintain DNA samples from individuals convicted federally for sex crimes, and that is an area where I think, both with respect to authorization and certainly appropriation, a good judgment might be had with respect to increasing that forensic ability.

PRIVATE INDUSTRY ASSISTANCE

With respect to private industry assistance, again during the past year, as we noted yesterday and as several of the presenters noted, we have had very good dialog as well as cooperation with some of the Internet service providers with respect to conducting our investigations, receiving assistance from them to obtain evidence, but also to receive from them suggestions as well as abilities to help educate and work in the prevention area, which, of course, is key.

We think that many things need to be done and can be done. For instance, manufacturers of software products, particularly those products which are used to access the Internet, could easily, in our view, include in their products some of the safety publications which are currently available, and which are very effective in getting the message across, particularly to children and teens.

We would encourage the Internet provider industry to maintain subscriber and call information for a fixed period of time. They now discard it very briefly, unlike the telephone companies. Those are records which are very critical in identifying and even tracing some of the Innocent Images-type cases and leads. That would be a very helpful thing, and we certainly hope that it could be done, even on a voluntary basis.

Retaining caller ID by the Internet service providers would be another, hopefully voluntary, measure that would help us, and we

are in discussions with providers to see if we can receive that kind of assistance.

CRIMES AGAINST CHILDREN PROGRAM ACCOMPLISHMENTS

In general, and in conclusion with respect to our FBI Crimes Against Children Program, we are very proud of this program. We have worked very hard, and I want to commend the FBI special agents and the support employees who have really dedicated themselves to making this program work, which has been recently established, but in our view, is very, very effective.

Some of the measures that we have taken, which I know are known to the committee—in February of last year we added, as you know, a new dimension to the NCIC which allows law enforcement agencies to flag entries for us where there is some reasonable indication that a child is missing under suspicious circumstances, and that that particular child might be in a life threatening situation. We have a system established where those NCIC flags notify the national center, and also our child abduction and serial killer unit once they are entered. We have established the interim National Sex Offender Registry, which uses the NCIC III index. To date, 23 States are participating in that, with 30,778 records, which are flagged individuals as sexual offenders. In July 1999, when the NCIC 2000 comes on line, this will be a permanent part of that file.

Last May, I instructed each of our officers to designate two special agents per office, in each of our 56 offices, to serve as Crimes Against Children coordinators within their particular field office, and to serve as points of contact for the State and local agencies.

One of the efforts that we have pursued, and which this particular liaison capacity supports, is a manual which I will make available to the committee. It is called the "Child Abduction Response Plan," which was developed by our child abduction and serial killer unit. This particular manual is now being distributed to approximately 17,000 police departments in the United States. It is a how to book: what to do, what not to do, particularly in the first few hours of a child abduction case.

For the majority of police departments in the country which have under a dozen or so sworn officers, this gives them not only some protocols and guidance, but also the means to contact us immediately where we can be of assistance.

We are working with the International Association of Chiefs of Police to distribute that, and then follow it up with the liaison that these units, with your additional resources, will provide.

We have also established in the FBI Criminal Investigative Division an office dedicated to crimes against children, not just sexual exploitation and pornography on the Internet, but kidnapping cases, violent crimes against children all over the country, particularly on Indian reservations, where that rate is extremely high, parental kidnapping cases—all of the programs and statutes which we enforce which in any way relate to children.

This organizes for the first time in the FBI an overall supervision for our programs. As I noted last week, we did include in our 1999 budget increases with respect to law enforcement resources on Indian country, where the violent crimes, particularly the crimes against children, are phenomenally high.

PREPARED STATEMENT

Again, I want to express my gratitude to this committee for its support. As a Director, but also as a father of six children, I cannot think of a more important investment with respect to law enforcement. They are our most precious resource. You have my commitment that we will use these resources wisely, and we will work as hard as we can to prevent harm to all these children.

Thank you very much.

[The statement follows:]

PREPARED STATEMENT OF LOUIS J. FREEH

Good morning, Chairman Gregg, Senator Hollings, and members of the Subcommittee. I am very pleased to appear before you today to discuss the problems of child pornography on the Internet and the sexual exploitation of children.

I would like to acknowledge the strong support of the Subcommittee for the FBI and other federal, state, and local law enforcement organizations and agencies working to protect children from computer sex offenders. Last April, this Subcommittee convened the first Congressional hearing during my tenure as Director that focused solely on this important issue. As I told the Subcommittee at that time, our children are our nation's most valuable resource. They represent the bright future of our country and hold our hopes for a better Nation. They are also among the most vulnerable members of society.

Your hearing last year was instrumental in raising public awareness to the seriousness of the problem of child pornography on the Internet. Your hearing also raised the recognition of this problem among law enforcement officers and prosecutors. Most importantly, you followed up your concern and commitment with action.

As a result of your efforts through the 1998 Justice Appropriations Act, the FBI, our state and local partners, and the National Center for Missing and Exploited Children, and others are taking positive actions to make our children's safety and future more secure by reducing their vulnerability to Sexual Predators using the Internet and commercial on-line services. Through your recognition of this issue, funding is available this year to improve the FBI's efforts to combat child pornography on the Internet, to enhance training and other related programs at the National Center for Missing and Exploited Children, and to establish State and local law enforcement child sexual exploitation cyber-squads. This Subcommittee is making a significant difference in providing law enforcement with the tools and capabilities they need to respond to this problem. On behalf of law enforcement, I thank you.

Yesterday, I had the honor to join Senators Gregg and Hollings and Ernie Allen, the President of the National Center, at the dedication of the Cyber Tipline. The Cyber Tipline is one example of the type of joint public-private sector partnerships that are mutually beneficial to law enforcement and the public, especially to our children. I hope that yesterday's events will bring to the public's attention the availability of the Tipline and that its use will assist in preventing innocent and unsuspecting children from being exploited and harmed.

IMPLEMENTATION OF 1998 FBI ENHANCEMENTS

I would like to start by bringing the Subcommittee up to date on how the FBI is using the additional staffing and funding provided for child pornography investigations that was included in the 1998 Justice Appropriations Act. The Act provided $10 million for enhancing our ongoing "Innocent Images" initiative which is a nationwide investigation coordinated in the FBI's Baltimore, Maryland, field office. This funding allows for 60 new positions, including 25 agents. As we allocated these additional resources, we considered and balanced the full range of requirements needed for the "Innocent Images" initiative, including additional investigators for Baltimore and other key locations, analysts, laboratory examiners and services, training and outreach, and case management automation. I believe the plan that we are implementing allows us to have the most impact with the additional resources the subcommittee provided us.

Baltimore.—Most of the new positions—40 total, including 13 agents and 12 Intelligence Research Analysts—are being assigned to our Baltimore Field Office. At Baltimore, we are creating a second "Innocent Images" squad to expand the scope of our current on-line undercover operation. Baltimore will also be able to provide 24-hour support to "Innocent Images" cases that involve suspects located in other FBI

field offices. Currently, 95 percent of the "Innocent Images" cases generated by the Baltimore Field Office involve suspects who live in states other than Maryland.

The "Innocent Images" agents assigned to Baltimore will also use their expertise to provide training programs for State and local law enforcement and prosecutors, including those trained through the National Center for Missing and Exploited Children. Two special agents from the Baltimore Division's "Innocent Images" staff will be assigned as instructors to teach law enforcement officers on-line child pornography/child sexual exploitation investigations. Since last April, FBI "Innocent Images" staff have made 54 presentations to approximately 2,100 State and local law enforcement officers and prosecutors.

We are also improving the "Innocent Images" case management system that supports on-line sessions conducted by undercover agents and which stores case and federal grand jury subpoena information. With the additional cases that will be generated by the increased number of agents added to the "Innocent Images" squads, an updated system is needed.

Los Angeles.—The FBI's Los Angeles Field Office plays a significant role in support of the "Innocent Images" initiative, including the conducting of on-line undercover sessions. We are placing 4 agents and 1 intelligence research specialist in the Los Angeles Field Office where they will be dedicated to supporting the "Innocent Images" initiative. These agents will allow the Los Angeles Field Office to provide more timely follow up investigations regarding suspects identified and referred by the Baltimore Field Office, as well as initiate new Internet and on-line service child pornography investigations. Investigations by the Los Angeles Field Office are being fully coordinated with the national "Innocent Images" task force in Baltimore.

Forensic services.—Child pornography investigations and prosecutions depend upon the identification and timely analysis of evidence from seized computers and media used to produce, store, and transmit illegal images and pictures. Individuals involved in the distribution and exchange of on-line child pornography and the recruitment of children for illicit sexual purposes are among the most sophisticated computer users the FBI is encountering. The additional cases that will be generated by the new squad being established in Baltimore will also increase the forensic workload of the FBI Laboratory. Consequently, improving FBI Laboratory capabilities to respond to the growing number of these cases is a high priority.

We are adding 6 positions, including 5 agents, to the FBI Laboratory to increase the number of examiners performing forensic examinations of computer-related evidence from "Innocent Images" cases. These agents will also travel to other field offices to assist in the execution of search warrants generated from cases developed by the "Innocent Images" squads.

Pocatello Information Technology Center.—We are also adding 2 intelligence research specialists to the FBI Information Technology Center (ITC) located in Pocatello, Idaho. The Pocatello ITC provides a variety of overall case support services for "Innocent Images" investigations, including searches of commercial databases to locate and trace suspects and fugitives. During a court authorized wire interception in an on-line child pornography investigation, the very first of its kind, analysts at the Pocatello ITC directly assisted our investigators in the administration of this electronic surveillance.

Child Abduction and Serial Killer Unit.—The FBI's Child Abduction and Serial Killer Unit provides critical behavioral profiling to FBI field offices, other federal agencies, and State and local law enforcement agencies working missing children cases and serial crimes, including cases involving Sexual Predators. Beginning in September 1997, the FBI began distribution of a "Child Abduction Response Plan" to over 17,000 federal, State, and local agencies to provide suggestions and guidance, based upon our experience, on dealing with these types of tragic incidents. This plan was prepared by the Child Abduction and Serial Killer Unit.

We are adding 2 additional agents and 1 Intelligence Research Specialist to ensure this Unit continues to provide timely and effective response to requests from law enforcement for assistance in missing children and child exploitation cases, especially those in which Sexual Predators use the Internet or on-line services to entice children to meet for illicit sexual purposes.

Liaison with the National Center for Missing and Exploited Children.—The FBI is in the process of assigning a Special Agent full-time to the National Center for Missing and Exploited Children to improve our liaison with the Center and to facilitate the timely referral of child sexual exploitation and missing children complaints and tips to FBI field offices.

Training.—Just one and one half weeks ago, the FBI conducted the first of five regional On-line Child Pornography/Child Sexual Exploitation conferences in Atlanta, Georgia. Attending that conference were 30 FBI agents and 200 State and local law enforcement officers and officials from 7 Southeastern states: Georgia,

Florida, South Carolina, North Carolina, Tennessee, Alabama, and Mississippi. Other regional conferences will be held this year in Dallas, Texas; Los Angeles, California; Chicago, Illinois; and Newark, New Jersey. These conferences are possible due to the additional funding provided in 1998.

Later this year, we are planning to convene a national-level symposium on Internet and on-line child pornography and child exploitation for all FBI field offices. Through this symposium, we hope to bring together FBI Special Agents who work on-line child pornography/child sexual exploitation investigations, prosecutors, Internet and on-line service providers, and others to exchange ideas and to build bridges between the various groups that will have a positive impact on reducing the vulnerability of children to these types of crimes.

Training law enforcement, prosecutors, and others is an important element of our effort to combat child pornography and child sexual exploitation on the Internet. We will continue our training efforts in 1999.

Increasing Public Awareness.—One of the most effective ways to prevent children from becoming victims of on-line Sexual Predators is to educate them and their parents to follow safe Internet and on-line practices. Too often, unsuspecting children believe they are talking to a peer with similar interests and hobbies when, in fact, they are being recruited by a Sexual Predator who is exploiting the anonymity allowed by the Internet to hide his true intentions.

Thanks to your suggestion, Mr. Chairman, and that of Senator Hollings, we are incorporating child Awareness of On-line Child exploitation into the FBI Headquarters tour. Annually, more than 500,000 people take the FBI tour with the majority being school age children.

Among the ideas we are considering are short videos highlighting the issues of child abduction and child safety on the Internet that could be shown on televisions installed in the general waiting areas for tours. We are also considering locating two or three kiosks containing interactive computers along the tour route that would offer two different information programs, one for adults and one for children, relating to child safety on the Internet. Finally, we are considering a Crimes Against Children display that would be constructed and located outside the Firearms Range waiting area. The National Center for Missing and Exploited Children is working with us in developing these ideas and content.

INNOCENT IMAGES

The FBI initiated its "Innocent Images" investigation in 1995 as an outgrowth of the investigation into the disappearance of ten year old George Stanley Burdynski, Jr., in Prince George's County, Maryland. Investigation into the activities of two suspects determined that adults were routinely using computers to transmit images of minors showing frontal nudity or sexually explicit conduct, and to lure minors into illicit sexual activities.

"Innocent Images" focuses on individuals who indicate a willingness to travel for the purposes of engaging in sexual activity with a child; individuals who produce and/or distribute child pornography through the Internet and on-line services; and, individuals who post illegal images onto the Internet and on-line services. The FBI has investigated more than 70 cases involving pedophiles traveling interstate to meet minors for the purposes of engaging in illicit sexual relationships.

FBI Agents and other federal, State, and local investigators participating on the "Innocent Images" task force go on-line in an undercover capacity, posing as either young children or as sexual predators, to identify those individuals who are victimizing children. The coordinated effort has generated significant results: since 1995, the "Innocent Images" investigation has generated 328 search warrants, 62 consent searches, 162 indictments, 69 informations, 161 arrests, and 184 convictions.

I am particularly pleased to report that since March of 1997, the number of search warrants executed increased 62 percent; the number of indictments obtained increased 50 percent; the number of arrests increased 57 percent; and the number of convictions increased 45 percent.

As I mentioned earlier, we have started on-line "Innocent Images" investigations in our Los Angeles field office. We are also considering the need for on-line "Innocent Images" efforts in other field offices based upon workload and the identification of specialized user populations involved in on-line child pornography and related sexual offenses. All of these efforts will be coordinated with and through our Baltimore Field Office.

The "Innocent Images" initiative has expanded its investigative scope to include investigations involving news groups, Internet Relay Chat (IRC) and fileservers (also known as fservs).

CHALLENGES FOR COMBATING CHILD EXPLOITATION

I would like to comment briefly on several challenges that face not only the FBI, but all of law enforcement, as we move ahead in our efforts to combat Internet and on-line child pornography and sexual exploitation.

Encryption.—When I testified last week before the Subcommittee on the FBI's 1999 budget request, I outlined for the Subcommittee a number of challenges facing the FBI as it moves toward the 21st century. One of these challenges is the growing use of encryption by criminals to conceal their illegal activities. The "Innocent Images" initiative has uncovered sexual Predators who use encryption in their communication with each other and in the storage of their child pornography computer files. This encryption is extremely difficult, and often impossible, to defeat.

It is essential that law enforcement agencies at all levels of government maintain the ability, through court order, to access encrypted communications and data relating to illegal activity.

National Coordination.—The FBI has designated its Baltimore Field Office as the national coordinator for its "Innocent Images" initiative. Investigations of "Innocent Images" referrals conducted by other FBI Field Offices are coordinated through Baltimore.

Numerous other federal, State, and local law enforcement agencies are initiating on-line undercover child exploitation investigations, some as part of task forces and others on an individual agency basis. As more law enforcement agencies begin to use this investigative technique, the likelihood that one agency will begin investigating another agency's undercover operation will increase. This is an obvious waste of very finite resources. On-line child exploitation investigations often cross jurisdictional lines and, in some instances, even national boundaries. Investigations that begin in one area may branch off to involve locations throughout the country and have links to other ongoing investigations. These types of cases must be coordinated among the various law enforcement agencies having jurisdiction. I believe the FBI is in a position to provide valuable and effective leadership to spearhead this national effort.

The 1998 Justice Appropriations Act provides $2.4 million to the Office of Justice Programs for grants to establish State and local law enforcement cyber-squads. This subcommittee also instructed that these cyber-squads follow the investigative protocols developed by the Department of Justice in the "Innocent Images" investigation. The Office of Juvenile Justice and Delinquency Prevention, the Child Exploitation and Obscenity Section of the Criminal Division, the FBI, and the National Center for Missing and Exploited Children are working closely together to develop a plan for the formation of eight regional State and local task forces using these funds.

I would like to see our "Innocent Images" initiative serve as a national clearinghouse, with links to a network of regional task forces staffed by federal, State, and local investigators. Such a clearinghouse and network would enhance support for, and coordination of, on-line child exploitation investigations and facilitate the sharing of intelligence information gathered through undercover sessions and cases.

DNA Profiles.—Sexual Predators have predictable behavior traits. Clinical research studies have found that the average child molester will have more than 70 victims throughout his lifetime. DNA profiles are one law enforcement tool that can be effective in quickly identifying suspects.

The FBI continues to work with States to establish the Combined DNA Information System (CODIS) that will allow State and local crime laboratories to exchange and compare DNA profiles electronically, thereby linking serial violent crimes and to identify suspects by matching DNA evidence to offender profiles. CODIS is operational in 86 crime laboratories in 36 States and the District of Columbia.

Currently, 48 of 50 States and all territories and possessions have enacted laws allowing the collection of DNA samples from convicted sex offenders and others convicted of violent crimes. We are working with the two states that do not have laws and expect those States to enact appropriate laws this year. At this time, there is no comparable effort to collect and maintain DNA samples from individuals convicted federally for sex crimes and other violent offenses. As a result of the "Innocent Images" initiative and other cases, more and more individuals are being convicted in Federal Court for sex offenses involving minors.

Steps need to be taken to close the gap between State and federal DNA profiling efforts so that a true nationwide database of DNA profiles for all convicted sex offenders is available.

Sex Offender Registry.—The permanent national sex offender registry is scheduled to be implemented In July 1999 when the National Crime Information Center (NCIC) 2000 system becomes operational. This file will have the capability to retain an offender's current and previous registered addresses, dates of registration and

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conviction(s), photograph and fingerprints. Currently, an interim National Sex Offender Registry is operational which utilizes the FBI's Interstate Identification Index and the National Law Enforcement Telecommunications System. The initiative became operational in February 1997. As of February 12, 1998, 23 States are participating in the Registry with 30,778 records flagged as sex offenders.

Industry actions and assistance.—Over the past year, we have seen positive steps by the software and Internet Service Provider industries to reduce the availability of pornography to minors. Some Internet Service Providers are exploring different methods for protecting our children; to include blocking access to chat rooms and Internet news groups—the places where Sexual Predators target and recruit minors. Some site providers are using proof of age and similar shielding systems to keep underage children from accessing sites containing adult-oriented materials.

Yet, more can and should be done to keep sexual predators from being able to reach our children through the Internet and commercial services. I urge the manufacturers of software products, those used for connecting to the Internet and also used in modems and computers, to include with their products a copy of the Internet safety publications prepared by either the FBI, the National Center for Missing and Exploited Children, the Department of Education or a pamphlet of their own design. This simple action would help raise the awareness of parents and provide children with safety tips and practices to use while enjoying the Internet.

Another problem we encounter is access to subscriber information. When we identify an individual's screen name—not their subscriber name—through an on-line session, we must secure a Federal Grand Jury subpoena and then go to the Internet Service Provider to obtain subscriber and account information for that particular screen name. Oftentimes, Sexual Predators and others use multiple screen names or change screen names on a daily basis. Some Internet Service Providers retain screen name identifiers for such short periods of time—in some instances less than two days—that when law enforcement presents a subpoena, the Internet Service Provider is not able to retrieve from its archives the requested subscriber and account information.

The telephone industry is required by Federal Communications Commission regulation to maintain subscriber and call information for a fixed period of time. It would be beneficial for law enforcement if Internet Service Providers adopt a similar approach for retaining subscriber information and records for screen names and associated Internet Working Protocol numbers, or "IP addresses." Such information, when provided to law enforcement upon service of a subpoena, is critical to the timely identification of persons sending child pornography or trying to recruit a child for illicit sexual purposes.

Where possible, it would be beneficial for Internet service providers to capture and retain Caller ID data on persons accessing ISP lines. The capturing of Caller ID data will greatly assist law enforcement in child pornography/child sexual exploitation investigations.

CRIMES AGAINST CHILDREN

Our efforts to combat child pornography on the Internet and commercial service providers is one element of the FBI's comprehensive Crimes Against Children Initiative. The FBI's overall goal for its Crimes Against Children initiative is to provide a quick and effective response to all reported incidents. Through a timely response, we believe the FBI can, in conjunction with its law enforcement partners, increase the number of incidents in which the victimization of children is stopped and increase the likelihood that abducted or missing children are safely recovered.

In each of our field offices, we are reaching out to our State and local law enforcement partners to encourage them to notify the FBI within that critical first hour of a reported child abduction or missing child. Once notified, our goal is to rapidly deploy those resources necessary to support or conduct an investigation.

I directed that two things be done to help ensure a timely notification is made in these cases. On February 2, 1997, the FBI added a new dimension to the National Crime Information Center (NCIC) that allows law enforcement agencies to "flag" entries when there is a reasonable indication that a child is missing under suspicious circumstances or that the child is believed to be in a life-threatening situation. NCIC then notifies the National Center for Missing and Exploited Children and the FBI's Child Abduction and Serial Killer Unit. Special thanks go to Senator McConnell for his pioneering work that led to this new program.

Shortly after last year's hearing, in May 1997, I instructed each Special Agent in Charge to designate two FBI Agents to serve as Crimes Against Children Coordinators within their field office territories and to serve as field office points of contact for notifications.

No single law enforcement agency is equipped to handle the broad spectrum of issues that accompanies crimes against children. Working together, we can leverage our individual capabilities and expertise into an effective and comprehensive resource team. I have instructed each FBI field office to begin establishing multi-agency, multi-disciplinary resource teams consisting of federal, State and local law enforcement, prosecutors, victim/witness specialists, and health and social service professionals. These resource teams will facilitate interagency sharing of intelligence and information and enable effective investigation and prosecution of cases that transcend jurisdictional and geographical boundaries.

The FBI's 1999 budget includes a request for 81 positions, including 30 agents and 31 victim/witness coordinators, and $8,009,000 to improve the delivery of law enforcement services to Indian Country. Between 1994 and 1997, 83 percent of the crimes on Indian reservations cases opened by the FBI involved either crimes of violence (47 percent) or the sexual or physical abuse of a minor child (36 percent). I urge your support for these additional resources that will allow us to investigate crimes against children living in Indian Country.

CONCLUSION

Mr. Chairman, I would like to again express my gratitude for the Subcommittee's strong support and confidence in the FBI. Both you and Senator Hollings can take pride in the leadership exerted by the Subcommittee in the area of protecting our children from sexual offenders and pedophiles. I believe your approach of balancing targeted increases in FBI investigative resources and capabilities in select areas with an emphasis on training for State and local law enforcement encourages partnerships and cooperation that are the keys to an effective response to the problem of Internet and on-line child pornography and child exploitation by sexual offenders and pedophiles.

This concludes my prepared remarks. I would like to respond to any questions that you may have.

EXTENT OF INTERNET CHILD PORNOGRAPHY PROBLEM

Senator GREGG. Thank you, Director, for that comprehensive explanation of your efforts which are also extensive and well thought out.

I guess I would like to get a little perspective on how big the problem is. I would be interested, if you know, or maybe—I notice Agent Hooper is here from your Baltimore office, who gave us the presentation—she might know.

When you go online in one of these sting operations under Innocent Images, how long does it take before you get a potential contact, either an illicit request or a communication involving child pornography? How extensive is the problem as you see it?

Mr. FREEH. I am going to let Agent Hooper speak in a moment, because she is the expert here. But within minutes, literally, of an agent pretending to be a 13- or 14-year-old girl going into a designated chat room, the screen literally lights up with respect to questions and solicitations, and many of those are pursued in terms of our criminal cases.

But if I could ask the real expert to come up.

Senator GREGG. For the record, this is Supervisory Special Agent Hooper. Agent Linda Hooper is the supervisor of the Innocent and Images squad in the Baltimore division.

Ms. HOOPER. Generally, when the undercover agent goes online, the contact is almost instantaneous. And it is from numerous individuals. Some of the online services only allow 23 individuals in a particular chat room at one time, and we have been engaged by 22 of the 23 individuals—us being the 23d—all at once.

Senator GREGG. So it's a pretty extensive problem.

Ms. HOOPER. Yes.

Senator GREGG. And it is something that parents should be very worried about.

Ms. HOOPER. Yes, sir.

Senator GREGG. Of course, the first line of defense is the parent educating the child as to the proper response. What would be your feeling about what the proper response is? What should a parent tell a child not to do, or to do when they enter a chat room and somebody starts asking for information.

Ms. HOOPER. Well, I think one of the most important things is parental supervision when your child is online, and not to allow particularly young children to go online unsupervised.

And they need to set up certain rules. One of the most obvious things would be to ensure that the computer is in a high traffic area and not in the child's room where they can close the door and engage in these conversations independently. If you put the computer someplace where the parents always have view of the computer, they are less likely to get involved in these types of situations.

And then the things that were mentioned earlier, not to give out any personal information, not to meet people that they have met online without their parents' approval, and supervision, generally as well.

TRAVELER CASES

Senator GREGG. You say there are 70 of these traveler cases. Can you explain what a traveler case is?

Mr. FREEH. Yes, sir; a traveler case would be a case where in the course of contacts to our undercover agent we are receiving offers or solicitations to travel and meet the sender or the solicitor.

We have had a number of cases where we have made arrests at the location where the subject asked our undercover agent to go—a hotel or restaurant. Sometimes there is discussion about sending bus tickets or plane tickets, using a credit card, for instance, to travel. The traveling notion is the idea of the physical contact notion, which may involve traveling by the subject or the victim.

Senator GREGG. As I understand it, the way this usually works is somebody, some pedophile, or someone who has a sexual purpose in contacting the children, is online, in the chat room, talking with the children, and builds up over a period of time the confidence that that person is somebody other than who he is.

In other words, he is presenting himself as a 13-year-old boy, or something, talking to a 13-year-old girl. And it turns out he is a 27 year old or 40 year old. And then as a result of those discussions he tries to convince the child, the only child, to come to a meeting with him, right?

Mr. FREEH. Yes.

Senator GREGG. Which ends with the potential for kidnapping or sexual abuse.

Mr. FREEH. Yes; those are the most dangerous cases, obviously. Just to add to Agent Hooper's parameters, any contact, of course, on the Internet is a unknown contact. You do not know in this medium to whom you are talking.

You think you are talking to a 50-year-old grandmother or a 60-year-old professor. You do not know with who you are speaking, be-

cause anybody can be anybody on the Internet. So any indication or solicitation to travel and meet, or exchange phone numbers, or what school you go to, are very dangerous things of which parents need to be very aware.

Senator GREGG. The purpose of the Innocent Images effort is to create the atmosphere out there, if I understand it, where when that adult who has predatory desires or purposes gets online and starts talking to a 13-year-old child, he doesn't know whether that 13-year-old child might actually be a FBI agent.

Mr. FREEH. Exactly that. That is part of the prevention. A lot of people speed on the highway, but many people do not speed, or at least they do not speed as much as they would ordinarily, because they know that maybe there is a trooper or sheriff sitting around the corner. We want to create those inhibitions on the Internet with respect to protecting children.

DNA TRACKING SYSTEM

Senator GREGG. I want to ask one technical question, and then I will yield, and then maybe come back for some more questions.

On this DNA issue, I notice that California has 60,000 people that they had identified as sexual predators or sex offenders of children; 60,000. That's just a staggering number, and I am sure it is just because California is so big. I am not saying the number in California is disproportionate. It's just a huge number.

We obviously have fingerprints of these people. Do we have DNA on every one of those folks?

Mr. FREEH. We do not have it on the Federal level. On the State level, I believe California is one of the States which does require, I think, from convicted individuals in a certain number of categories, DNA samples.

Senator GREGG. What should we do at the Federal level to try to give you more authority to be able to track these people through DNA?

Mr. FREEH. In the Anti-Terrorism Act of 1996, I believe section 811, we were given the authority to implement a Federal convicted offender program, which would be based on collecting and storing DNA data from federally convicted offenders.

We have not implemented that yet. The Department of Justice thinks that the authorization is not expansive enough to address a lot of legal concerns. We are now, with the Department of Justice, working on some legislation which we think would correct that.

Once that authorization would be granted, obviously some appropriations would be also requested. We did request them in our 1999 request to OMB to implement that. I think it would be a very important and significant step forward, because you would capture in the Federal DNA offenders base, convicted offenders base, a whole universe of people who may slip through the State system.

Senator GREGG. If you could provide us with the language the Justice Department feels is necessary I think it could probably find its way into the appropriations bill.

Do you think we should go the route that we have done with the IAFIS program for DNA? Should we have a national capacity that

goes beyond just Federal prisoners? Do you have the capacity to take all the California information and put that into a databank?

Mr. FREEH. The CODIS system, as it has been designed and as it has been implemented now, with about 38 States participating, does give us the capacity to exchange and compare and identify. It almost is—I mean it is very similar to an IAFIS system. What is lacking now is the Federal component, and we will follow up on your suggestion to prepare some language.

FEDERAL, STATE, AND LOCAL COOPERATION

Senator GREGG. Senator Hollings.

Senator HOLLINGS. Thank you, Mr. Chairman.

Judge Freeh, the presentation you make is outstanding. I would only add one comment with respect to the coordination. Continue to try to emphasize working with the local agencies.

I have been in law enforcement now for many years. I have traveled, worked with the sheriffs, I worked with the FBI agents, all around my State. There is always a jealousy or a parochial kind of impetus between the agencies. But they all sort of work separately and apart, to make sure they have their own case.

And the local sheriffs will say time and again that they see the FBI agents. They are good, and everything else, but there is very little working together.

So as you say in your statement here, that you emphasize cooperation, and I continue to emphasize it. Because otherwise I do not see how we are going to get enough money. Every one of these initiatives that you have are valid and realistic. I would want to financially support them all.

I have to go to another meeting here later today where they will say cut spending, cut spending, cut spending. And then we will go down on the floor and we will make four or five other State offenses Federal crimes. This with the Justice Department budget in 10 years going from $4 billion to $21 billion.

And we at the Senate level have had to add the $10 million onto this $32 million effort. And then the outstanding agent comes and says I have to stand in line for an undercover operation to get into a chat room. If I sign on as a pornographer, there are 22 ahead of me. I am No. 23.

I don't know—they're talking about math and science. I think the emphasis has got to be on education, with drugs, with sex, with tobacco, with racism, and with pornography. Maybe we ought to get Secretary Riley up here with these hearings, and let's get some money for a general course of orientation in schools today.

The Federal Government is just not providing enough money for drug prevention. I have watched it over the years. It gets worse and worse and worse. Now, we have learned not to smoke. When I came to these hearings years ago, there were ashtrays all over this place. And now no one is smoking, because everyone understands it is injurious to your health.

And unless we can get that kind of feel that has developed with respect to drugs to develop with child pornography and these other things, then we will find we can't build enough jails.

So we are going to end up about 20 or 30 years from now with those in jail and those out of jail in our society. It is really discouraging in the light of the outstanding job that you do.

But let me listen to Director Allen later on, after the questions, and see what he can suggest.

Thank you.

Senator GREGG. Senator Mikulski.

Senator MIKULSKI. Thank you very much.

CALIBER OF FBI AGENTS

Senator Gregg and Senator Hollings, you have been really leaders in this issue, and last year, thanks to the chairman and the ranking member, bringing in $10 million in the budget to establish the national headquarters in Baltimore.

And I say that not because it is in my hometown. Really I think it was bold, it was innovative, and it heartened the law enforcement people who wanted to come to grips with this. And I think now the new CyberTipline program that was announced is another tool that families, parents, grandparents, teachers, and so on could use.

I want to talk about resources that you need, Director Freeh. I know that Innocent Images was a result of a 10-year-old boy in Prince Georges County who was seduced through the Internet and ultimately was murdered.

Your action, the FBI's action, working with local enforcement, identified the despicable criminals, and this then led, I think, to the establishment of this.

When I came to the Baltimore headquarters to see the demonstration with Agent Hooper and her team, there were two things that impressed me. One was the availability of pornography. It is not amusing. It is not entertaining. This is not something that is kind of a fun little picture to pass around in a junior high locker room. This was vile, and it was violent, and it promoted violence.

The other thing that so shocked me was how easy if you went online and you said you were a child, or a teenager, how quick—and this was a 10 o'clock in the morning—the quick hits to come in.

And also the way someone can masquerade for a child. So you could have a convicted, violent criminal online masquerading as a 9 year old working on a Scout badge, asking what seems to be questions but lead to this seduction.

Now, let me then get—I mean, it was really shocking. But what was also impressive was the agents. This is not J. Edgar Hoover's FBI, where people went down the streets and we tracked bank robbers and we looked for Communists and all the areas where the FBI established an incredible reputation for competency.

But what was required of these agents was incredible sophistication in the use of technology. They had to have a great background. They had to have great training, and they had to deal with, really, an intense burnout, because of the repugnant, the exposure to these repugnant and vile things.

Could you tell me what you need in the way of resources, not only for the unit, but how to recruit and retain agents of this high quality? We have a technology worker shortage. Software engineers

can make $65,000 and stay at home and get an espresso machine and 5 weeks of paid vacation if they will sign up.

And here we are asking agents to come and do this. Could you talk about, one, what we can do to bring in the agents? What you need to bring in people as qualified as Agent Hooper, her team, and the others that you want to do? This is a very sophisticated work force that you are trying to recruit.

Mr. FREEH. Senator, first of all, thank you very much for your comments. The credit is deserved by Agent Hooper and her colleagues.

We have been, as an institution, extremely fortunate in our ability to attract and retain not just solid, outstanding agents, but agents who actually volunteer for these types of assignments. We have had, over the last 3 years, I think it is up to 89,000 applicants for our special agent positions. We hired 1,100 last year. In fact, I was at an FBI graduation in Quantico yesterday morning.

Senator MIKULSKI. Excuse me. How many applicants did you say you had?

Mr. FREEH. Over 80,000 there have been in the last 4 years.

Senator MIKULSKI. 80,000 men and women want to be FBI agents?

Mr. FREEH. Yes; and we have hired about 3,000 of those since I have been Director. It has been extremely good for us. It has been very good for the country.

The agents who we turn away in terms of applicants are extremely qualified. Many of them have science and technology backgrounds. In fact, we started recruiting actively about 3 years ago for agents with backgrounds in engineering, software engineers.

All of our new agents who graduate from Quantico, in addition to their firearm and credentials, are given a laptop computer. This is the FBI of the information age. You saw a very good example of one dedicated program. But in many of the other areas that's replicated, in so far as we have been extremely fortunate in not only getting those people, but keeping them onboard.

RESOURCES NEEDED

Senator MIKULSKI. Well, what do you need in the way of your budget, because we are the Appropriations Committee. And we will have many competing resources, under Commerce, State, and Justice, that will be challenges to both the chairman and the ranking member and those of us who are members. But what does the FBI need to fulfill this responsibility in this particular unit?

Mr. FREEH. In this particular area, as it is in most areas, it is a combination of resources, people as well as the technology. The DNA national data base would be extremely helpful.

The Attorney General and I did request of OMB for the 1999 budget more agents, not only for the Innocent Images program, but to establish nationwide activity in our offices. We asked for some counselors, victim/witness specialists, which is a very important component of these cases—not just making the case, but dealing with the witnesses who in many cases need much help.

We have asked for additions to our child abduction and serial killer unit in Quantico. We realize that the decisions at OMB are certainly guided by distributing a very small pot to many different

agencies. We are going to renew that request next year, because we believe that those are dollars which are translated into cases.

Senator MIKULSKI. Well, last year we gave you $10 million. Do you need more? Or the same?

Senator GREGG. He said they were asking for more from OMB.

Senator MIKULSKI. I know. But OMB isn't here. The FBI is here. And we want the FBI on the net.

Mr. FREEH. That amount of money would significantly enhance the Innocent Images program, the child abduction program, and even spill over into the technology area.

ST. MARY'S COLLEGE STUDENTS IN GUATEMALA

Senator MIKULSKI. Well, thank you. Mr. Chairman, before I conclude, I would like to thank Director Freeh for something. You talked about how your agents volunteer for special assignments.

We had a terrible thing happen to some of our college students from St. Mary's College in Guatemala. They were robbed, and they were sexually assaulted. And because the FBI is working with the State Department on this issue, I want to thank you for the special FBI unit that you sent to interview the victims of the violence perpetrated against them. The families conveyed to me their gratitude to the FBI and said that the FBI sensitivity in dealing with these young ladies was something that also encouraged them to move forward with other counseling, and so on.

I want you to know your FBI agents were really fit for duty, and the way that they then went about helping interview the victims, so that we could then work with the Guatemalan authorities, was so outstanding. It was tough law enforcement, but done in a very high quality way, and I want to express my gratitude.

Mr. FREEH. Thank you, Senator. I will convey that to the agents. Thank you very much.

Senator GREGG. I would second the Senator's thoughts there. Obviously that was a horrendous situation, and the FBI's professionalism is extraordinary in many areas, but clearly displayed there.

CONGRESSIONAL INTENT

I would say this: that one of the major concerns that I have as chairman of this subcommittee is the fact that OMB has held up the congressional intent, that the FBI would have the authority to go outside of title V, hire at a higher rate the technicians necessary to compete in a world with cybercrime.

We all recognize that folks who are computer literate can, as the Senator from Maryland said, get a tremendous job sitting at home with their Starbucks coffee and still make a lot of money. The FBI has to be able to compete because, also unfortunately, some of the criminals that they are fighting are technically sophisticated.

Why OMB has stood in the way of what was clear congressional intent to give you the flexibility to hire people at higher grades of salary is beyond me, because it is clearly undermining our law enforcement capacity. This committee will try to do something to straighten that out.

We congratulate you again for this initiative. Thank you for continuing it. I think, as you sense, there is a lot of sympathy here

for what you are doing, a lot of support more than sympathy for what you are doing. Tell us what you need and we will try to get it for you.

Mr. FREEH. Thank you, Mr. Chairman, and thank you, members of the panel.

NONDEPARTMENTAL WITNESS

STATEMENT OF ERNEST E. ALLEN, PRESIDENT AND CEO, NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN

Senator GREGG. We will now hear from Director Allen, head of the National Center for Missing and Exploited Children, which has with the help of the FBI and the private sector evolved into the premier agency in this country for addressing issues of child exploitation, obviously kidnapping, but also protecting children who are using the Internet. It is addressing the issues of the use of the Internet by child pornographers and people who wish to take advantage of the Internet and the children who use the Internet.

It was a great pleasure for me yesterday to join with the Director, the ranking member, and representatives of the private community—especially the online provider groups, represented by Mr. Case of America Online—as you announced your CyberTipline. It is a wonderful initiative which I know is going to be a tremendous resource for parents in this country as they try to deal with the need to have some place to turn when they run into one of these situations, which is obviously far too common on the Internet, of sexual exploitation of children either through exchange of pornography or through solicitation.

We thank you for coming to give us your thoughts on how we can best address this issue, on the parental side, the public side, and the private side.

Mr. ALLEN. Thank you, Mr. Chairman. I have provided written testimony, and with your permission, I would like to just briefly summarize.

Senator GREGG. Certainly.

Mr. ALLEN. First, let me thank you and Senator Hollings for your wonderful leadership and support on this issue. The hearing 1 year ago was more than a discussion about an issue. It truly launched a pattern of action, a campaign that we really think is going to make a difference.

What I wanted to do today is just briefly report to you on what has happened since then. And if I could first, I would like to report to you in a more general way, because you two Senators have led this committee for a long time, and for 14 years have been the source of public support for the work of the National Center for Missing and Exploited Children. I wanted to thank you for that, and to report to you that your support is making a difference for America's children and families.

In 1997, we had a record year. We had the largest number of calls for service in our history. We had the largest number of cases received. And on the positive side, we also had our highest recovery rate ever.

Pre-1990, our recovery rate was about 60 percent. Last year, it was 95 percent. And I think the message there is that the public-private partnership and the system we have built is working. There is a network that is getting information quickly to America's 17,000 police departments. There is a better system for responding, and children are being brought home as never before.

Director Freeh mentioned earlier, and I really want to commend him for his leadership on behalf of children, but we truly believe that one of the reasons for the heightened success rate in 1997 was his initiative last February to create the check off on the NCIC report form.

The U.S. Department of Justice just released survey research that found that in cases in which children are abducted and murdered, in 74 percent of those cases the child is dead within the first 3 hours. So time is the enemy in these cases. The more quickly we can get information and we can disseminate information, and we can activate the resources that are now available, the greater the likelihood for the recovery of the child.

We at the center, as the result of Director Freeh's effort, received 642 of those child abduction flags, the instant notification, through NCIC. And I truly believe that that is one of the reasons why the recovery rate has climbed so high so quickly. So thank you for the leadership of this committee and all that you have done for the center and for America's children.

I also wanted to update you on what we now know since last year's hearing on quantifying the problem of the seduction of children, the luring or enticement of children on the Internet. We at the center have been involved in 60 cases, of the so-called traveler cases, in which kids have been seduced online and then persuaded to leave, by an adult, usually for sexual purposes.

Of those cases, 85 percent of those kids have been 15 years of age or older; 75 percent have been girls. So I think one of the things that we now know, more than we did at this time last year, is that the most vulnerable demographic for Internet exploitation and seduction are teenage kids.

In addition, just in the last 2 years, and I think this is a tribute to the commitment of this committee and to Federal law enforcement, there have now been 400 convictions in Federal court for Internet-related child sexual exploitation offenses. That includes both the FBI's Innocent Images effort and the U.S. Customs Service child pornography effort.

One of the other things that I have tried to do—and the point was made earlier that this is a problem that is appearing in all kinds of places and in all kinds of communities, and that there seems to be more of every day—is that we looked just at cases within the last month from the States represented on this particular committee.

And to give you an idea, every member of this committee had significant child sexual exploitation, Internet-related cases, since January 1, 1998. Senator Hollings, that included a case last month in Midway, SC, in which an individual was arrested on child pornography charges over the Internet.

Senator Gregg, it included a case last month in which a 27-year-old man was arrested for targeting a child from Keene, NH.

So this is a problem. We have said about this issue generally that the only way not to find it in any community is simply not to look for it, and because of your leadership America has begun to look. We can anticipate many more cases, many more charges, and that the appearance is that the problem will be growing.

Also encouraging is the development of additional specialization and task forces at the State and local level, as we discussed last year. Particularly noteworthy, I think, is New York Attorney General Dennis Vacco's Operation Ripcord, which is a multiagency effort spearheaded by the New York State Police that has resulted in the identification of 1,500 people transmitting child pornography, more than 100 search warrants, and so far dozens of prosecutions.

The Florida Department of Law Enforcement has been a leader in its central Florida child exploitation task force, which is targeting this effort. And State and local law enforcement, as was evidenced yesterday by Detective McLaughlin from Keene, NH. More and more are playing a role in this.

In many cases it is an individual officer who is computer literate, has computer expertise, and in some cases is doing it on his own time. So your initiative to help build expertise at the State and local level we think is very, very timely and important.

Your committee's mandate last year was really threefold. The first was to enhance Federal resources, and we supported enthusiastically and still support increasing resources for the FBI's Innocent Images task force. They are the lead, they are the point agency in this effort for all the progress we have made.

They are still attacking a national problem with relatively slim numbers, and building that asset, that resource, we think is very important.

Second, your mandate was to enhance State and local law enforcement's capability. And I mentioned to this committee last year that I had heard someone say that when the automobile was first developed, law enforcement opposed it, and the concept was only the crooks will have the cars and we will be chasing them on foot and on horseback.

Well, I submit that that is the case here as well. In many situations American law enforcement still doesn't even have PC's and modems; has no idea what people are doing. And in the area of child pornography, when the Supreme Court of the United States said that child pornography is not protected speech, and there was aggressive enforcement effort in the mid-80's, the effect of that was to run it out of adult bookstores.

The work of the U.S. Postal Inspection Service has minimized the use of the mails. But where child pornographers have reached is areas where they have relative anonymity and apparent sanctuary—places where they can trade and transmit images and information with little risk. One of our primary challenges is to help law enforcement catch up with the technology.

Finally, as Senator Hollings has talked about on many occasions, we believe that there is far greater need for public education, awareness building, and giving families the tools to deal with this problem.

So, quickly to report to you on what we have done since that hearing, and since your appropriation, there are really several points that I want to touch on quickly. One, Senator Gregg, we were honored by your presence and your announcement at the CyberTipline launch yesterday, and Senator Hollings honored that you were represented there as well.

The CyberTipline is up and running. And since its announcement, we have already received 150 leads. Those are leads just as a result of free media, and as the online industry helps us make that address better known to the public, we think that there is a real opportunity for parents whose kids encounter suspicious situations or situations of concern on the Internet, to get us those leads and information and to respond to them in an effective way.

All of the leads that we are receiving are going to five primary sources: to the FBI's Innocent Images task force; to the FBI's crimes against children unit; to the U.S. Customs Service child pornography unit; to the U.S. Postal Inspection Service; and to the Morgan Hardiman task force, which is headed by the FBI and based at Quantico. Also those agencies have all been linked to the CyberTipline and they have been provided technology so that they have the ability to access and search the entire data base of leads and information at any given time.

Once a lead is received, our hotline operators will be prioritizing those leads, and the primary criteria for priority will be the risk to the child. So if the lead suggests that a child is in immediate danger, we will respond very much in a 911 situation.

And that is, we will target that information, we will trigger responses, we will make sure that every possible resource is used to protect that child. If the child may be in immediate danger, there will be a priority response, though not quite that 911 response. If the child from the information does not appear to be in immediate danger, the tip will be received, cataloged and assessed and provided to the appropriate agency.

Also it is interesting that from the 150 leads we have received so far, and I do not suggest that that is enough for this necessarily to be representative, in at least one-half of those cases, the lead information is sufficient to enable us to pinpoint the locality in which the child victim may be located, may be victimized.

So that in at least one-half of the cases so far it does appear appropriate for us to provide that lead to a State or local agency, in addition to the Federal agencies that will routinely receive them.

The second issue that I want to mention that was part of your mandate is the creation of these pilot cyberpolice units, that Director Freeh talked about. The Office of Juvenile Justice and Delinquency Prevention, our partner in this initiative, has prepared a draft RFP, has circulated it, and it will be going out shortly. And the Justice Department will be receiving and reviewing proposals to create those special units at the State and local level.

It is our expectation that we will learn a great deal from those units. Clearly this is an issue where FBI leadership is very important, but this is also a crime in which there are two pieces to the puzzle. While the use of the Internet and the transmission of data and images and information is key, as I said last year at this hearing, in every one of these cases there is a local victim.

At this hearing last year, you heard from a mom whose child had been sexually molested in her hometown while the perpetrator photographed the sex acts, then he sold those images over the Internet.

So our belief in each one of these cases is—we really need to pay close attention to the local essence, the local nature of this problem, and make sure that State and local governments have the tools and expertise to work in partnership and in coordination with Federal law enforcement to follow through on these investigations.

By June of this year, the center will hold in partnership with the FBI and the Office of Juvenile Justice and Delinquency Prevention its first cyberpolice training course. I think all of you know that it was this committee that was responsible for our Jimmy Ryce Law Enforcement Training Center program, which was launched by Director Freeh and members of this committee last April.

In the first year we have already trained, at policy level training seminars, we have already trained police chiefs and sheriffs from all 50 States and Guam. And using that model, we are going to be conducting specialized training for law enforcement, State and local law enforcement, on cyberpolice techniques, on this problem and issues and technology related to it.

There will be two courses. There will be one that is an investigator's course, and, second, there will be a course for mid-level managers.

The nominations for participants in those courses will come from the graduates of our Jimmy Ryce Training Center, who are police chiefs and sheriffs from across the Nation, as well as from the FBI and other Federal law enforcement.

So again, this is a partnership effort. You heard the Director mention his commitment to provide a liaison agent at the centers so that we strengthen our working relationship. He has also committed training agents to work with us and assess and work on that process.

In December, at the Families Online Summit, we began the CyberTipline, telephone only, until we were ready to go online. And just to give you an idea, in those 2½ months, we have already received 263 leads over the telephone.

Now, those leads break down as follows: 206 of them were for Internet-related child sexual exploitation. But we received other leads as a result of this initiative addressing child sexual exploitation in other ways. And we think the same thing will happen with the CyberTipline.

We think that people will not just send us leads about child pornography or child enticement on the Internet, they will send us leads about child victimization generally. But we have already, in addition, received 28 leads on general non-Internet-related sexual exploitation, 4 child pornography leads, 4 child prostitution leads, 18 leads about pedophile activity, and 3 leads about child sex tourism. So in many ways we think what you have done is going to have impact even beyond its focal point.

We have, as we announced yesterday, because of the data showing that teenagers are at greatest risk, we have created a new public education piece written for us by a Los Angeles Times columnist, called "Teen Safety on the Information Highway."

We did an original piece called "Child Safety on the Information Highway," and we have distributed almost 3 million of those to parents and kids. It is our goal, and this is specifically written so it is more relevant, more readable, perhaps a little less preachy, so it will be more likely to be used by teenaged kids. Our hope is to put this into schools and into the hands of families and teenagers across the country.

Three other developments that we are excited about that we think are the precursors of other partnerships on this issue to come is that as a result of your initiative we are hearing from private companies asking how we can help. For example, Surfwatch, which was the pioneering company developing access controls for the Internet to help parents keep kids out of the more high-risk areas, has now linked with us so that when their customers complain about content that they encounter, Surfwatch is going to send that lead information directly to us through the CyberTipline.

Similarly, America Online [AOL] has started a program called Kid Patrol, which is a partnership with the center using what is called Push technology, which will allow us actually to take content—images and information—directly into the homes of AOL's 10 million subscribers, as well as to use them to generate content leads and information for us.

And the chairman of America Online committed yesterday that AOL, once we are absolutely confident that we can handle the volume that we have created with the CyberTipline, that AOL will help promote it, will let their users and subscribers know that this is a resource that is available, so that if you encounter content that is troubling on AOL or anywhere you will be able to link directly to the CyberTipline and bring us those leads and information.

And then Lycos, which is a search engine company, one of the top 10 most heavily trafficked sites on the Internet, has made a similar commitment, that it will promote this site, has developed links to the center, and they will funnel content to us which will be placed in the hands of Federal law enforcement.

So I think in many ways we did not anticipate all of the positive repercussions of what you launched, of what came from your hearing last spring. But I think the most exciting thing about it is that it truly is a public/private partnership.

PREPARED STATEMENT

The technology to support this operation is entirely private sector provided, so what we can report to you is that the dollars that you committed to this effort we think are being multiplied. And the effects, we think, will be far greater.

Mr. Chairman and Senator Hollings, we are honored by your confidence. We think that what you began will have enormous impact in the lives of families and children across the country, and I look forward to being able to report to you 1 year from now or sooner about the specific impacts, specific cases that are made, specific children whose lives are being touched as a result of this effort.

[The statement follows:]

PREPARED STATEMENT OF ERNEST E. ALLEN

Mr. Chairman and members of the Committee, as President of the National Center for Missing and Exploited Children, I am honored to report to you on our progress since your hearing almost one year ago. We are moving swiftly and aggressively to implement your mandate in attacking the problem of child pornography and child sexual exploitation on the Internet.

However, I did want to take just a brief moment to thank you in a broader way for your long-standing leadership and support for the work of the private, nonprofit National Center for Missing and Exploited Children (NCMEC). Since 1984, per your mandate and with your support, NCMEC has been proud to serve as America's national resource center and clearinghouse for missing and exploited children. Working in partnership with the U.S. Department of Justice/Office of Juvenile Justice and Delinquency Prevention (OJJDP), we are working with law enforcement to find missing children as never before, and are making great strides in the prevention of child victimization. We have just completed a record-setting year:

Recovery rate.—NCMEC'S missing child recovery rate pre-1990 was 62 percent. Since 1990, it has grown to 90.3 percent, with a 95 percent recovery rate in 1997, our all-time record.

Calls for service.—In 1988, we received 52,000 hotline calls. In 1997, we set a record, handling 129,100 calls. Since 1984, we have handled 1,168,570 calls, and currently average 700 per day.

The worldwide web.—With so much attention to the negative aspects of cyberspace, I am pleased to report on its use for good. On January 31, 1997, we launched our new website, www.missingkids.com. The response has been overwhelming. On February 1, 1997, we received 3,000 "hits." Today, we receive 1.5 million "hits" every day, and are linked with hundreds of other sites using Java applets to provide real-time images of breaking cases of missing children.

To demonstrate its application in a real-world sense, in November a police officer in Puerto Rico searched our website, identified a possible match, and then worked with our Case Manager to identify and recover a child abducted as an infant from her home in San Diego seven years ago.

International.—NCMEC is now playing a key role in international child abduction cases as the State Department's representative on in-coming cases under the Hague Convention. We have successfully resolved the cases of 343 children, are using the worldwide web to build a network to distribute images worldwide in partnership with INTERPOL.

Jimmy Ryce Law Enforcement Training Center.—Thanks to the support of this committee, in April 1997 we opened our new training center. Each month NCMEC brings in chiefs and sheriffs for a policy seminar on missing and exploited child investigations. In 1997, we trained 256 chiefs and sheriffs from fifty states and Guam, as well as the INTERPOL/U.S. state representatives.

NCIC "CA" Flag.—I am particularly proud of our partnership with the FBI. In February 1997 the FBI Director created a new NCIC child abduction ("CA") flag to provide NCMEC and the FBI's child abduction unit immediate notification in the most serious cases. Time is the enemy. The Justice Department found that in 74 percent of child abduction/homicides, the child is dead in the first three hours. Today, 44 states are up on the new system. In 1997 NCMEC received instant "CA" notifications in 642 cases. We believe that receiving this information rapidly is a key reason that NCMEC had its highest recovery rate in history.

None of this would have been possible without the remarkable leadership, commitment and support of this subcommittee, and the creation of a true public-private partnership for America's children. We are deeply grateful, and are proud of the work we are doing together.

AN UPDATE ON OUR PROGRESS IN ADDRESSING CHILD SEXUAL EXPLOITATION ON THE INTERNET

A year ago, when I appeared before your committee, I indicated that there was growing evidence of the criminal misuse of cyberspace to target and victimize children. Today, we have a little more information. The risks to children, particularly teenagers, in cyberspace include: Use by predatory adults to entice children to leave home for purposes of child sexual exploitation; and exposure to child pornography and other unlawful sexual content on the Internet.

In the past two years, NCMEC has been involved in approximately 60 "traveler" cases in which a child has left home or been targeted by an adult via the Internet to leave home. NCMEC worked these cases as missing children. In 83 percent of the cases, the victim has been 15 years of age or older. In 75 percent of the cases, the victim has been female.

BEST COPY AVAILABLE

To date, we are also aware of at least 400 adults who have been convicted of Internet-related child sexual exploitation offenses in federal courts. Through February 18, 1998, the FBI's Innocent Images Task Force has produced 184 convictions. And, since April, 1996 Customs Service investigations have produced 240 convictions.

These cases are now being reported and investigated almost everywhere. It is a problem in virtually every community. For example, in the past few months, there have been major cases reported in every state represented on your committee:

—In February, a 27 year old man was arrested as he awaited a 14 year old Keene, New Hampshire boy he had enticed via the Internet;
—In February, an assistant fire chief in Midway, South Carolina was arrested on child pornography charges over the Internet;
—In January, an Eagle River, Alaska man pleaded guilty to child pornography charges using the Internet;
—In March, a New Mexico doctor flew to Spokane, Washington to have sex with an 8-year-old girl, and was charged with child pornography and sexual abuse;
—In January, a Lexington, Kentucky attorney was sentenced to a year in prison in connection with Internet child pornography;
—In February, in Corpus Christi, Texas a chemical engineer who had arranged a sexual rendezvous with a 13 year old girl he met over the Internet was arrested;
—In February, a Broomfield, Colorado man was sentenced to two years for receiving child pornography through a chat room;
—In September, a Pope County, Arkansas man was sentenced to two years in prison for child pornography he obtained through the Internet;
—In February, a teacher was arrested at the Bergen Mall in Paramus, New Jersey in connection with a planned sexual encounter with a 13 year old girl; and
—In January, a Maryland hydrologist was convicted for the distribution of child pornography over the Internet.

It is clear that this is not an isolated problem, it is widespread and growing. An encouraging development is the growing number of specialized units at the state and local level targeting these offenses. Particularly noteworthy are New York Attorney General Dennis Vacco's Operation Rip Cord, an ongoing blitz being waged by the Attorney General and the New York State Police against child pornography in cyberspace. Through this multi-agency initiative, New York State Police investigators have had contact with more than 1,500 individuals who have transmitted child pornography, and executed more than 100 search warrants, resulting in dozens of prosecutions.

Another important example is the Florida Department of Law Enforcement's Central Florida Child Exploitation Task Force, an eighteen agency task force of city, county, state and federal agencies. There are some excellent local units as well, including the pioneering cyberpolice unit at the San Jose, California Police Department.

Enhancing law enforcement awareness and expertise is particularly important due to the dramatic expansion of the number of kids online. According to a report from FIND/SVP's Emerging Technologies Research Group and Grunwald Associates, by the year 2002, more than 45 million children will be online.

NCMEC has attempted to address the risks to kids in cyberspace through a simple strategy

To Prevent Child Victimization in Cyberspace Through Aggressive Prevention/Education and Outreach Programs Directed Toward Parents and Children.—Many parents have a false sense of security regarding the risks to their children in cyberspace. Their children are at home, often in their own rooms, doing something positive and useful for their future. Many parents have little knowledge about computers and what their children are doing online, and feel that there is little risk. Similarly, many children view cyberspace as a variation on their computer or video games. As a result they may not view encounters with real people online with a sense of caution or skepticism.

NCMEC is seeking to reach into millions of homes and classrooms with positive, common-sense rules for safety on the information highway. NCMEC's message for parents focuses upon strong parental involvement in their children's lives, increasing parental knowledge and awareness about computers and the Internet, and the importance of parent-child communication.

Similarly, NCMEC is reaching out to children with basic rules for safety on the information highway, including cautions not to give out personal information online, and not to meet someone they encounter online. A cornerstone of this effort will be a campaign to provide mouse pads with safety tips, particularly in classrooms. Our announced national goal is to wire every school in America for the Internet by the

Year 2000. It is NCMEC's goal to ensure that every school has a mouse pad with Internet safety tips for every PC connected to the Internet.

To Advocate Help for Parents Through the Development of Technology Tools and Access Controls.—NCMEC supports efforts to provide help for parents through blocking software and access control tools like SurfWatch, Net Nanny, and similar products, enabling parents to limit areas of the Internet to which their children have access. While such tools should not be viewed as substitutes for basic parenting, nor do they prevent adult predators from going to where the children are on the Internet to seek their victims, nonetheless they are useful tools for parents to provide an extra layer of protection for their children.

To Promote a National Campaign of Aggressive Enforcement.—NCMEC feels that the most important element of its Cyberspace Strategy is aggressive enforcement by federal, state and local law enforcement, directed against those who misuse the Internet for criminal purposes. The distribution of child pornography is not protected speech. Whether it is sold in adult bookstores, sent through the mails, or distributed via cyberspace, it is a crime. Similarly, enticing, luring or seducing children online is unlawful.

The best way to protect the positive, unfettered uses of the Internet is to ensure that it not be allowed to become a sanctuary for pedophiles, child pornographers and others who prey upon children. Oftentimes, criminals misuse new technology before law enforcement acquires the tools and expertise to counter such uses. NCMEC is committed to help law enforcement catch up.

THE SUBCOMMITTEE'S MANDATE

Following last year's hearing, your committee took action and focused on three key elements:

Enhancing Federal Law Enforcement Resources.—Despite the extraordinary work of the FBI's Innocent Images Task Force and the Customs Service's International Child Pornography Investigation and Coordination Center, both efforts were relatively new and required greater investment in resources and personnel. Thus, we were delighted by the bold action taken by this committee in the fiscal year 1998 budget and your commitment to dramatically strengthen Innocent Images. We support it enthusiastically, and are confident it will pay dividends far beyond the dollars you have committed.

Enhancing State and Local Law Enforcement.—Similarly, we expressed support for an effort to strengthen state and local law enforcement expertise and resources. Diane Doe, a victim mother who testified at your hearing testified to an all-too-often circumstance, a case in which a child is victimized locally, with the Internet becoming the distribution vehicle for the photos of the act(s). We made the point that the actual victimization of these children is a local offense, the investigative responsibility of state and local law enforcement. We urged you to seek ways to enhance the expertise and capabilities of state and local law enforcement in addressing these crimes.

You have done that. The Justice Department's Office of Juvenile Justice and Delinquency Prevention is about to initiate a competitive process which will ultimately fund eight pilot CyberPolice Units in state and local law enforcement agencies. These demonstration sites will offer an important case study as we seek to define and expand the role of state and local law enforcement in attacking this problem.

Similarly, you directed that NCMEC spearhead an effort to train state and local law enforcement on this issue. We are collaborating with the FBI and OJJDP and moving ahead swiftly.

Aggressive Public Education and Awareness Initiative.—As with every other kind of criminal activity, public education is vital, both to help protect prospective victims and to reach out to the public with key information to identify perpetrators. The cornerstone of that initiative is our new "CyberTipline."

NCMEC REPORT

Your bold new campaign against child sexual exploitation in cyberspace is aggressive and comprehensive. I wanted to update you on what NCMEC has done and is doing since the passage of the appropriation and your directive to move forward:

CyberTipline.—Yesterday, the leaders of this committee, the Director of the FBI, and key private sector leaders joined with NCMEC to launch the new CyberTipline, www.missingkids.com/cybertip. The tipline was created for parents to report incidents of suspicious or illegal Internet activity, including the distribution of child pornography online or situations involving the online enticement of children for sexual exploitation. Seven days per week, 24 hours per day, NCMEC will be fully staffed

to handle leads, and then distribute those leads to the appropriate law enforcement agencies.

One of the exciting elements of this initiative is that the online industry is a strong partner. Leading companies including America Online, Microsoft, CompuServe, AT&T, NetCom, the Interactive Services Association, the Commercial Internet eXchange Association, and others are providing financial support and have committed to promote the CyberTipline through their subscribers and supporters.

Effective Monday, March 9 at 1 p.m., the FBI's Innocent Images Task Force, the Crimes Against Children Unit at FBI Headquarters, the U.S. Customs Service ICPICC Unit, the U.S. Postal Inspection Service, and the Morgan Hardiman Task Force at Quantico will have immediate access to all data received on the CyberTipline via the web. Thus, these primary federal law enforcement agencies will be able to receive, access and review all leads received immediately. FBI and Customs have already received training on the system and its use.

The process in place is as follows:

(1) A child becomes suspicious of an attempted enticement or is concerned about content he or she believes to be child pornography, and tells his/her parents about the incident.

(2) After learning of the attempted enticement, the parents and the child link to the CyberTipline and fill out an online report form for child sexual exploitation.

(3) The CyberTipline provides online users an avenue for reporting Internet-related child sexual exploitation. The CyberTipline form ensures that law enforcement will receive all pertinent information to conduct a thorough investigation.

(4) The CyberTipline reporting form will capture information on the reporting person, Internet-related information, the child victim, the suspect and provide a text field for other information.

(5) The completed report is immediately sent to NCMEC's Web Server and stored with hundreds of other "leads."

(6) NCMEC Operators retrieve each lead and prioritize it based on degree of danger. One of three priority categories will be assigned:

—Child is in IMMEDIATE DANGER;

—Child may be in immediate danger;

—Child is NOT in immediate danger.

If more information is needed, the Operator will contact the reporting person. Each report is forwarded to an NCMEC Exploited Child Unit Information Analyst.

(7) The ECU Analyst reviews the report carefully and assesses the information provided. This may include visiting the site of the incident or conducting searches on the subject in question—adding value to the lead.

(8) In a case of immediate child endangerment, the ECU Staff or Operator will immediately contact via phone any federal, state or local law enforcement agency that needs to be notified of the potential harm to the child, and documenting that contact on the Tipline report. ECU staff will never assume that although the data is available on the database, that any of the above agencies have viewed the data.

As part of this initiative, NCMEC has increased its hotline staffing from 14 to 26, and will have core staff on-site 24-hours per day. While the greater volume will probably occur during normal hours, we believe the overnight hours will be critical for keeping up and doing follow up online.

In December at the Families Online Summit, NCMEC initiated its CyberTipline using its telephone hotline only. Since that announcement, in less than three months NCMEC has already received 263 leads, up nearly 350 percent over our normal volume. Those leads break down as follows:

Child Sexual Exploitation (General Extra-Family)	28
Internet-Related (Child Sexual Exploitation)	206
Child Pornography (General)	4
Child Prostitution	4
Pedophiles	18
Sex Tourism	3

With the advent of the CyberTipline, citizens will be able to choose whether to provide their information via the telephone hotline or online. We have built the system so that it is seamless. The same information will be captured regardless of which method is used, and the data will be accessible by law enforcement through a single database, again regardless of source.

With our data indicating that teenagers are at greatest risk online, we have released our new "Teen Safety on the Information Highway" publication, and are seeking to disseminate it to schools, families and teens themselves. Written by Los Angeles Times syndicated computer columnist Larry Magid, the publication was

produced in cooperation with the Interactive Services Association and the Master Teacher.

On February 10, 1998 NCMEC joined with SurfWatch, maker of the first Internet filtering product, in a partnership to provide leads to NCMEC and its CyberTipline. SurfWatch is creating an online capability on its website for its users and customers to report child pornography or child exploitation directly to NCMEC and its CyberTipline. We are hopeful that other companies will follow this example, helping NCMEC promote the CyberTipline and provide the most direct linkage for users, so that when they encounter inappropriate or questionable material, they can easily and immediately link with NCMEC's CyberTipline and provide their information.

America Online began a program with NCMEC called "Kid Patrol," through which NCMEC can take images and breaking information directly to AOL users. It is our vision that this effort will become a kind of two-way communication vehicle using cyberspace.

Similarly, Lycos, the search engine, has joined with NCMEC to leverage the Internet for child safety, taking images and information to Lycos' users, and making it easier for users to get to NCMEC.

On February 18, 1998, we hosted a full day meeting at NCMEC to examine issues relating to child sexual enticement on the Internet. Participants included representatives of the FBI, Justice Department, American Bar Association, Customs Service, Office of Juvenile Justice and Delinquency Prevention, Assistant U.S. Attorneys from New Mexico and Illinois, American Prosecutors Research Institute, National Law Center on Children and Families, Harborview Medical Center, Enough is Enough, Fairfax County (VA) Police Department, University of Arizona, America OnLine, and others.

Participants examined and discussed the offenders, the ways in which children are enticed online, the barriers to identifying this criminal behavior, prosecutorial implications, the successful uses of federal and state laws to date, sentencing issues, NCMEC's handling of an enticement-related "cybertip," law enforcement response, and related issues. It is our commitment to continue this kind of dialogue, and reach out to a broad cross-section of leaders to ensure that we maximize this important new resource.

We are encouraged by the fast start, and by the enthusiasm being demonstrated by our federal law enforcement partners and by the private sector. However, we have only just begun.

Senator GREGG. Thank you. And thank you and your organization, because if you were not there, this would not work. We can provide the money but that's really only a minor part of the equation. The major part of the equation is having somebody like yourself and your organization that is committed to this issue and has the expertise and the ability and the desire to go out and make it work. We are just a small player. You are the big player.

What else should we do?

Mr. ALLEN. Well, I think certainly it is important that we do more in the area of prevention education. Our premise yesterday was that the public is the best source of this information, and our premise from the beginning is that one of the reasons why kids are at risk in cyberspace is that parents, by and large, do not really know what their children are doing. Kids tend to be far more computer literate, far more computer sensitive. There tends to be a false sense of security on the part of a lot of parents. My kid's at home. He is in his room. He is doing something positive that is good for his future. You can almost hear the audible sigh of relief.

And, second, on the part of the kid, many times there is that same kind of other worldly aspect, that it is a glorified computer game or a glorified video game. What we are trying to do, and I think it is well understood, but I want to add it every chance I have, we are aggressive advocates for the Internet and strong advocates for families and kids to use the Internet.

But we think we need to do a better job of communicating to families and kids across the country that there are some risks, just

as there are risks in the shopping mall and the playground and everywhere else in society, there are some risks. And the best way to address those risks is to sensitize and to make people more aware.

Our whole strategy in this from the beginning, and in many ways it parallels this committee's campaign, is threefold: First is to reach into every home and touch every family in America, and to make sure that families and kids have the tools and the information they need to stay safe.

Second, as a part of that whole initiative, this country has made a commitment to wire every classroom for the Internet by the year 2000. We think it is just as important as an element of that that every classroom in America have child safety on the information highway information, and that teachers are talking to their kids about the risk—not in a negative, scary, fearful way. Not in way that sends the message, you should not go online. But simple, commonsense stuff that says the sorts of things that Director Freeh and Agent Hooper said to this committee earlier. I think that whole area of public education and awareness needs to be done, and it needs to be done more.

The second part of our strategy was to support and encourage the development of technology tools—access controls, like SurfWatch and others, to help give parents some tools to limit access of kids to areas of obvious greater risk.

Then the third element of that initiative is aggressive enforcement. For all the progress that we have made, and you will hear from no greater fan of the FBI and no greater supporter of what Director Freeh has done, to really make a priority in terms of crimes against kids, we as a Nation have just begun.

Innocent Images is only 2 years old and has already made 184 arrests resulting in convictions. I think enforcement is a key element of this, and our view is that there is plenty of unlawful activity on the Internet. For example, child pornography is illegal whether it is in an adult bookstore, or sent through the mails, or in a school playground, or on the Internet.

I believe firmly that it is in the best interests of the online industry, and the best interests of everybody to be more aggressive and more effective in terms of enforcing, identifying, and targeting those offenders who are misusing the Internet for illegal purposes. And I think, frankly, there are more resources that probably could be spent and need to be spent on that.

Senator GREGG. Thank you. Senator Hollings.

Senator HOLLINGS. You just stated child pornography was illegal even on the Internet, and what was the recent decision? What was the recent Supreme Court decision?

Mr. ALLEN. Well, there was a Supreme Court decision on the Communications Decency Act.

Senator HOLLINGS. Yes.

Mr. ALLEN. I think that issue spoke more to the definitions that were created in that bill in terms of indecent communications or indecent speech. Certainly illegal pornography, child or otherwise, if it meets the test of obscenity under existing caselaw, it is illegal wherever.

Senator HOLLINGS. What about the sentencing. Is that sufficient in your opinion?

Mr. ALLEN. We are always in favor of sentencing enhancements where the victim is a child. Now, I think, frankly, Congress and many of the State legislatures have done important work in that area. I am not sure that the issue today is as much one of sentencing as it is making cases. As was pointed out by Director Freeh, the offenders who perform these acts do it over and over again, and in too many cases, they do not get caught. When they are caught, they are not sentenced to meaningful time.

Senator HOLLINGS. Meaningful time. That is my question. Is it meaningful time?

Mr. ALLEN. I think in most cases it is not. But my point is I am not sure that that is a failing of statute or a failing of execution. For example, I think the Internet cases in some ways make it easier.

Child molestation, child sexual exploitation generally, in many situations you will have a perpetrator and a young child, where it is one's word against the other. Prosecutors who do not want to retraumatize or revictimize the child by putting him through a long, drawn-out process, so that you have offenders pleading, in many cases, to offenses that do not convey the essence of what they did and getting no time for it.

I think we have a training need there, and I also think that we probably should look at sentencing. It is sort of truth in sentencing to enhance the penalties that these offenders get when they are convicted.

Senator HOLLINGS. On the training, I did not catch it in your prepared statement, but regarding State and local law enforcement. I was glad to hear that you are training the State and local law enforcement. Can you describe that again?

Mr. ALLEN. Yes, sir; we have, as a result of the initiative that you and Senator Gregg launched last year, we will be doing what we are calling cyberpolice training at the center, and we will also be taking part of that out to the States. So we will be bringing designated officers into the center, both investigators and mid-level managers, and running a special program to help give them the kind of expertise and knowledge that they need. That should start in June.

Senator HOLLINGS. You have the money to do that?

Mr. ALLEN. Yes, sir; you gave us money in last year's appropriation.

Senator HOLLINGS. Is that enough? What is ongoing now, this minute? Do you have any schools, classes, officers attending, graduates? Where are we?

Mr. ALLEN. What we are doing right now is doing a police chief and sheriff's program which we started last April. As a result of your appropriation last December, we are now building a program to start this spring for cyberpolice training.

Could we use more resources for that? Yes, sir. It would enable us to reach more departments, more communities, touch more officers. I promised this committee last year that we were not looking for money. This was not about money. What we wanted to do was

look for the most effective way to deliver services, and we would try to leverage that.

But we can certainly do more.

Senator HOLLINGS. I think you have already saved us millions with your outreach, involvement of private industry and everything else. In helping to get the word out, you have saved the Government millions and millions.

But when I hear the testimony that a child can be dead within 3 hours or something like that, and all kinds of entities, States, local agencies, have yet to receive the training, that worries me. When will all of these agencies in South Carolina get that training, according to your schedule?

Mr. ALLEN. As soon as we can do it, Senator.

Senator HOLLINGS. Yes; but that does not tell me anything. Does that mean within 1 year? Or 10 years?

Mr. ALLEN. Yes, sir; and I can't promise you that every——

Senator HOLLINGS. I am not pressuring you. I am trying to get the reality of it. I want to be able to show that we have enough money in here so we can get every State and every community, knowledge of what you are doing.

Then you will find as you indicated before, that as soon as you put information on the CyberTipline, immediately it exploded with all kinds of information. People are ready, waiting, and able to participate, and want to.

But when will we actually have the local police chief or sheriff with knowledge in how to bring about the enforcement and an awareness of these tools here for enforcement?

Mr. ALLEN. I cannot give you an answer in terms of when every agency in South Carolina will be touched. I can tell you that we have had a number of chiefs and sheriffs who participated in this training already from South Carolina, including Sheriff Wells from Union County and Chief Greenberg from Charleston.

So we are trying to reach as many as we can, and, frankly, we could do more, and we could do it faster, but what we are trying to do is target. Touch every State. Sort of prioritize, work with the FBI and with key agencies to identify sort of lead—and part of our approach, frankly, Senator, has been to try to train the trainers, so that we do not physically have to——

Senator HOLLINGS. That is what I am getting at. I mean, you can't just throw money at it and hope to get the proper training and everything else. We at the committee level are trying to find out what is realistic. You asked for an increase?

Mr. ALLEN. No, sir, we didn't. But what I can do——

Senator HOLLINGS. You are the first person that has appeared before this committee that has never asked for an increase. We have to get you studied. [Laughter.]

Let me ask again, what about trying to get the word out on public television? Have you approached the Corporation for Public Broadcasting? Maybe we on the committee ought to do it, because they ought to make a program on your endeavor, and that in itself would be educational.

I know we are putting a lot of taxpayer money into PBS, but there ought to be a good, formative program, about the national center, its endeavor, how we are doing, what the FBI is doing, and

everything else like that—not what Senator Gregg and I are doing—but literally what you folks are doing to get the word out Put it on.

Thank you, Mr. Chairman.

Senator GREGG. I think that is a good idea.

I would also hope—I mean, I do not think my family is too unique—but if you want to really communicate with my kids you do it through MTV, or VH–1.

Mr. ALLEN. Exactly.

Senator GREGG. So to the extent that we could get them involved, too, as well as the different service providers, I think that would be good. I am sure you are thinking of all those other options.

CONCLUSION OF HEARING

Well, again, we congratulate you on what you are doing. You are doing really a wonderful job, and the committee feels that every dollar we send to you has been extremely well used. There has been a tremendous return to the taxpayers, and that is nice.

Thank you very much.

Mr. ALLEN. Thank you, sir.

Senator GREGG. This hearing is recessed.

[Whereupon, at 11:28 a.m., Tuesday, March 10, the hearing was concluded, and the subcommittee was recessed, to reconvene subject to the call of the Chair.]

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